

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (CURRENTLY AMENDED) A method for enhancing nodulation of nodulating leguminous plants, wherein said plant displays resistance or tolerance to glyphosate herbicide, comprising:
 - a) growing said plant in the field in the presence of a ~~desired~~ rhizobial strain wherein said ~~desired~~ rhizobial strain comprises resistance to said glyphosate herbicide; and
 - b) applying said glyphosate herbicide to said leguminous plant or seeds of said plant, whereby nodulation by the desired strain expresses resistance or tolerance to glyphosate and is enhanced compared to nodulation by a strain that is not resistant to the herbicide glyphosate.
2. (CURRENTLY AMENDED) The method of claim 1, wherein said ~~desired~~ rhizobial strain further comprises a superior dinitrogen fixing strain, and wherein said ~~desired~~ rhizobial strain displays enhanced competitiveness.
3. (CURRENTLY AMENDED) The method of claim 1, wherein said ~~desired~~ rhizobial strain is selected from a group consisting of *Bradyrhizobium japonicum*, *Bradyrhizobium elkanii*, *Sinorhizobium fredii*, *Sinorhizobium meliloti*, *Sinorhizobium* sp. NGR234, *Rhizobium leguminosarum* biovar *viciae*, *R. leguminosarum* biovar *trifolii*, *R. leguminosarum* biovar *phaseoli*, *R. tropici*, *R. etli*, *Mesorhizobium loti*, *B. elkani* and *Azorhizobium caulinodans*.
4. (CURRENTLY AMENDED) The method of claim 2, wherein said ~~desired~~ rhizobial strain is selected from a group consisting of *Bradyrhizobium japonicum*,

Bradyrhizobium elkanii, *Sinorhizobium fredii*, *Sinorhizobium meliloti*,
Sinorhizobium sp. NGR234, *Rhizobium leguminosarum* biovar *viciae*, *R.*
leguminosarum biovar *trifolii*, *R. leguminosarum* biovar *phaseoli*, *R. tropici*, *R.*
etli, *Mesorhizobium loti*, *B. elkanii* and *Azorhizobium caulinodans*.

5. (CURRENTLY AMENDED) The method of claim 3, wherein said desired rhizobial strain is *Bradyrhizobium japonicum*.
6. (CURRENTLY AMENDED) The method of claim 4, wherein said desired rhizobial strain is *Bradyrhizobium japonicum*.
7. (CURRENTLY AMENDED) The method of claim 1, wherein said desired rhizobial strain is obtained by genetic engineering.
8. (CURRENTLY AMENDED) The method of claim 2, wherein said desired rhizobial strain is obtained by genetic engineering.
9. (WITHDRAWN) The method of claim 7, wherein said desired rhizobial strain is genetically engineered.
10. (WITHDRAWN) The method of claim 8, wherein said desired rhizobial strain is genetically engineered.
11. (ORIGINAL) The method of claim 1, wherein said nodulating leguminous plant is selected from the group consisting of soybean, cowpea, alfalfa, chickpea, bean, pigeonpea, sweetclover, trefoil, siratro, sweet pea, pea, vetch and clover.

12. (ORIGINAL) The method of claim 2, wherein said nodulating leguminous plant is selected from the group consisting of soybean, cowpea, alfalfa, chickpea, bean, pigeonpea, sweetclover, trefoil, siratro, sweet pea, pea, vetch and clover.
13. (ORIGINAL) The method of claim 11, wherein the nodulating leguminous plant is a soybean plant.
14. (ORIGINAL) The method of claim 12, wherein the nodulating leguminous plant is a soybean plant.
15. (CANCELED)
16. (WITHDRAWN) The method of claim 2, wherein said herbicide of interest is selected from the group consisting of EPSPS inhibitors and glutamine synthetase inhibitors.
17. (WITHDRAWN) The method of claim 15, wherein said herbicide of interest is an EPSPS inhibitor.
18. (WITHDRAWN) The method of claim 16, wherein said herbicide of interest is an EPSPS inhibitor.
19. (CURRENTLY AMENDED) The method of claim 1, wherein said herbicide is applied according to a method selected from the group ~~consisting of~~: consisting of application to the plant and application to seeds of said plant.

20. (CURRENTLY AMENDED) The method of claim 2, wherein said herbicide is applied according to a method selected from the group ~~consisting of~~: consisting of application to the plant and application to seeds of said plant.

21. (CURRENTLY AMENDED) The method of claim 1, wherein said ~~desired~~ rhizobial strain is administered by a method selected from the group consisting of application to the seeds of the plant, application to the plant, application to the locus of the plant root, and application by in-furrow spray.

22. (CURRENTLY AMENDED) The method of claim 2, wherein said ~~desired~~ rhizobial strain is administered by a method selected from the group consisting of application to the seeds of the plant, application to the plant, application to the locus of the plant root, and application by in-furrow spray.

23. (CURRENTLY AMENDED) The method of claim 1, wherein said herbicide is applied to said plant by a method selected from the group consisting of application before administering the ~~desired~~ rhizobial strain, application simultaneously with administering the ~~desired~~ rhizobial strain, and application after administering said ~~desired~~ rhizobial strain.

24. (CURRENTLY AMENDED) The method of claim 2, wherein said herbicide is applied to said plant by a method selected from the group consisting of application before administering the ~~desired~~ rhizobial strain, application simultaneously with administering the ~~desired~~ rhizobial strain, and application after administering said ~~desired~~ rhizobial strain.

25-26. (CANCELED)

27. (CURRENTLY AMENDED) A method of enhancing dinitrogen fixation of a nodulating leguminous plant comprising:

- a) inoculating said plant or seed of said plant with a rhizobial strain, said rhizobial strain comprising resistance to glyphosate herbicide;
- b) applying said glyphosate herbicide to said leguminous plants, wherein said plant is resistant or tolerant to the herbicide; and
- c) growing the leguminous plant in symbiotic relationship with the rhizobial strain thereby enhancing dinitrogen fixation of a nodulating leguminous plant.

28. (ORIGINAL) The method of claim 27, wherein said resistant rhizobial strain enhances dinitrogen fixation as compared to a rhizobial strain which is not resistant to said herbicide of interest.

29. (ORIGINAL) The method of claim 27, wherein said rhizobial strain is selected from a group consisting of *Bradyrhizobium japonicum* subspecies 1, *Bradyrhizobium elkanii*, *Sinorhizobium fredii*, *Sinorhizobium meliloti*, *Sinorhizobium* sp. NGR234, *Rhizobium leguminosarum* biovar *viciae*, *R. leguminosarum* biovar *trifolii*, *R. leguminosarum* biovar *phaseoli*, *R. tropici*, *R. etli*, *Mesorhizobium loti*, *B. elkani* and *Azorhizobium caulinodans*..

30. (CANCELED)

31. (WITHDRAWN) The method of claim 29, wherein said herbicide of choice is an EPSPS inhibitor.

32. (ORIGINAL) The method of claim 27, wherein said leguminous plant is selected from the group consisting of soybean plant, cowpea, alfalfa, chickpea, bean, pigeonpea sweetclover, Siratro, sweet pea, pea, vetch and clover.

33. (ORIGINAL) The method of claim 32, wherein said leguminous plant is soybean.

34. (CURRENTLY AMENDED) The method of claim 27, wherein said herbicide is applied according to a method selected from the group ~~consisting of~~: consisting of application to the plant and application to seeds of the plant.

35. (CURRENTLY AMENDED) The method of claim 27, wherein said ~~inoculation~~ inoculating is by a method selected from the group consisting of application to the plant, application to locus of the plant roots, application to seeds of the plant, and application by in-furrow spray.

36. (CANCELED)

37. (PREVIOUSLY PRESENTED) The method of claim 27, wherein the application of said herbicide is by a mode selected from the group consisting of application before inoculating the plant, application simultaneously with inoculating the plant, and application after inoculating the plant with the rhizobia.

38. (CURRENTLY AMENDED) The method of claim 27, wherein said rhizobial strain further ~~comprises~~ comprises a superior dinitrogen fixing strain

39. (CURRENTLY AMENDED) ~~An herbicide~~ A glyphosate resistant rhizobial strain, wherein said resistant rhizobial strain has been obtained by genetic engineering.

40. (CURRENTLY AMENDED) A plant infected by the ~~herbicide~~ glyphosate resistant rhizobial strain of claim 39.